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PATENT  
Attorney Docket No.: 02307O-122010US

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Commissioner for Patents

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By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

HIPOLITO, Ronaldo B. et al.

Application No.: Unassigned

Filed: Herewith

For: ENDOTRACHEAL TUBE

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/040,982, filed December 28, 2001 (Attorney Docket No. 02307O-122000US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, be made of record therein and appear among the "references cited" on any patent to issue therefrom.

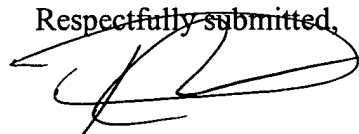
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Patrick R. Jewik', written over the words 'Respectfully submitted,'.

Patrick R. Jewik  
Reg. No. 40,456

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	Unassigned	
			Filing Date	Herewith	
			First Named Inventor	Hipolito, Ronaldo B.	
			Art Unit	Unassigned	
			Examiner Name	Unassigned	
Sheet	1	of	1	Attorney Docket Number	023070-122010US

U.S. PATENT DOCUMENTS <sup>+</sup>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-3,508,554	04-28-1970	Sheridan	
	AB	US-4,344,428	08-17-1982	Sherman	
	AC	US-4,502,482	03-05-1985	DeLuccia, deceased et al.	
	AD	US-4,567,882	02-04-1986	Heller	
	AE	US-4,774,943	10-04-1988	Yu	
	AF	US-5,263,478	11-23-1993	Davis	
	AG	US-5,507,284	04-16-1996	Daneshvar	
	AH	US-5,623,924	04-29-1997	Lindenman et al.	
	AI	US-5,873,362	02-23-1999	Parker	
	AJ	US-5,941,816	08-24-1999	Barthel et al.	
	AK	US-6,053,166	04-25-2000	Gomez	
	AL	US-6,149,603	11-21-2000	Parker	
		US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	AM	KUHNS, et al., "Endotracheal Tube Position in the Infant," <i>The Journal of Pediatrics</i> , Volume 78, Number 6, pp. 991-996, (June 1971)		
	AN	LOEW, et al., "A New and Safe Method to Control the Depth of Endotracheal Intubation in Neonates," <i>Pediatrics</i> , Volume 54, Number 4, pp. 506-508, (October 5, 1974)		
	AO	THIBEAULT, et al., "Pulmonary Interstitial Emphysema, Pneumomediastinum, and Pneumothorax," <i>Am J Dis Child</i> , Volume 126, pp.611-614, (November 1973)		
	AP	TOCHEN, "Orotracheal Intubation in the Newborn Infant: A Method for Determining Depth of Tube Insertion," <i>The Journal of Pediatrics</i> , The C.V. Mosby Company, pp. 1050-1051, (December 1979)		
	AQ	"Pediatric Research," <i>Pediatric Academic Societies Annual Meeting, Saturday, April 28 - Tuesday, May 1, 2001, Program Issue</i> , Volume 49, Number 4, Part 2 of 2, Baltimore Convention Center, Baltimore, Maryland, 4 pages, (April 2001)		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.